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Central Intelligence Agency



Washington, D.C. 20505



30 May 1986

The Honorable Dave Durenberger  
Chairman  
Select Committee on Intelligence  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

Thank you for your letter received at the Agency on 1 May regarding leaks of sensitive intelligence information [REDACTED]. As you know from our meeting on 8 May, I share the outrage you have expressed about this kind of behavior, and I appreciate your offer to work with me to make policymakers understand the seriousness of this problem.

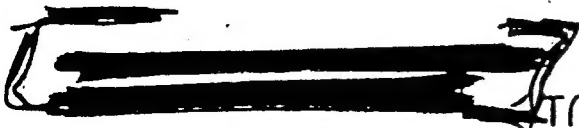


The investigation by the FBI into who leaked this sensitive intelligence has not yet been completed, but I can assure you that I will urge that effective disciplinary action against and, if appropriate, criminal prosecution of the individuals responsible for these unauthorized disclosures be undertaken if these individuals are identified.

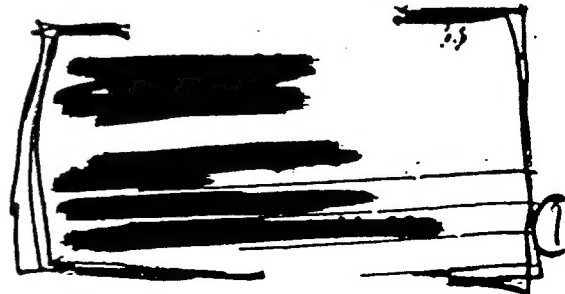
Our efforts to combat leaks should, of course, be primarily directed against those irresponsible Government employees who misuse classified information. However, as I indicated in our 8 May meeting, we must be prepared in particularly serious cases to take action against the leakers' media outlets to the extent permitted by the Constitution and laws of the United States. In this regard, Section 798 of Title 18 of the United States Code makes it a criminal offense for anyone to publish classified information obtained through intercepts of foreign government communications concerning the communication intelligence activities of the United States. This statute

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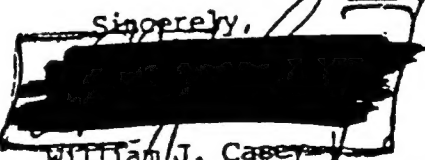
clearly provides authority to proceed criminally against publications which reveal classified information concerning or derived from communications intelligence activities. In accordance with my duty to protect intelligence sources and methods, I have served notice recently to a number of media outlets that henceforth I intend to urge the Justice Department to enforce the law against them if they persist in their practice of publishing highly classified information concerning communications intelligence activities.

The disclosures cited in your letter are symptomatic of a far broader problem involving a serious breakdown in discipline on the part of those in Government who have been entrusted with classified information. While there is no single explanation for this breakdown in discipline, I believe that the Congress can play an important role in reducing the risk of unauthorized disclosure of classified intelligence information. For instance, your Committee has been helpful to us in the past in serving as a broker or intermediary in instances when non-oversight committees and members have sought access to sensitive intelligence data. I would like to see this practice continued and, if possible, expanded in the future so as to minimize the amount of intelligence disseminated outside of the existing oversight mechanisms. Furthermore, as a general matter, I would like to see increased emphasis placed on the necessity for treating with the utmost degree of confidentiality all matters discussed at closed hearings. If the oversight process is to be effective, both sides must be able to engage in a full and candid exchange of views with the confidence that they will not ultimately find their way into the media.

Another step that can be taken to restore discipline in the Executive Branch and the Congress is to tighten up on security procedures. For its part, the Intelligence Community has recently stepped up use of the polygraph to determine the suitability of employees to protect classified information and increased compartmentation in order to restrict the dissemination of sensitive intelligence. I ask that you give serious consideration to steps that the Committee can take to conform more closely to the personnel security practices followed by the Intelligence Community.

In short, I believe the time has come for taking decisive action against leakers by tightening up our security procedures, and by letting individuals both inside and outside the Government know in no uncertain terms that unauthorized disclosures of classified information is wrong and will be dealt with to the fullest extent allowed by law. Once again, I very much appreciate your concern with this problem, and I hope that I can count on your support in my efforts to address it effectively.

A similar letter is being sent to Senator Leahy.

Sincerely,  
  
William J. Casey  
Director of Central Intelligence

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